

July 15, 2013

GLORIA L. FRANKLIN, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

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The following constitutes  
the order of the court. Signed July 13, 2013

Stephen L. Johnson  
U.S. Bankruptcy Judge

Counsel for FRED HJELMESET,  
Trustee in Bankruptcy

## UNITED STATES BANKRUPTCY COURT

## NORTHERN DISTRICT OF CALIFORNIA

## SAN JOSE DIVISION

In re

TRUNG NGUYEN,

Debtor.

Case No. 12-59160 SLJ  
Chapter 7  
Hon. Stephen L. Johnson

**ORDER AUTHORIZING TRUSTEE TO (I)  
SELL REAL PROPERTY; AND (II) PAY  
COSTS AND REAL ESTATE  
COMMISSIONS  
(3302 N. 39<sup>th</sup> Drive, Phoenix, Arizona)**

Date: July 10, 2013  
Time: 2:00 p.m.

On July 10, 2013, the Court heard and considered the (i) Motion for Order Authorizing Trustee to (I) Sell Real Property, Subject to Overbid and (II) Pay Costs and Real Estate Commissions (3302 N. 39<sup>th</sup> Drive, Phoenix, Arizona) ("Motion") [Docket 32] filed by Fred Hjelmset, Chapter 7 Trustee ("Trustee") of the above-captioned Debtor ("Debtor"). Jennifer C. Hayes of McKenna Long & Aldridge LLP appeared on behalf of the Trustee. All other appearances are noted in the record. Based on the Motion, the arguments of counsel, all pleadings filed with the Court, notice of the Motion being adequate and proper under the circumstances and other good cause appearing,

## IT IS HEREBY ORDERED THAT

1. The objection to the Motion filed by Elizabeth Ngo [Docket 37] is overruled;

1           2.     The Motion is approved in all respects in accordance with the terms set forth in this  
2 Order;

3           3.     The Trustee is authorized to: (i) enter into the Agreement (as defined in the  
4 Motion); (ii) sell that certain real property commonly known as 3302 N. 39<sup>th</sup> Drive, Phoenix,  
5 Arizona, which has the following legal description: Lot 4096, MARYVALE TERRACE NO. 7-A,  
6 according to Book 74 of Maps, Page 21, records of Maricopa County, Arizona ("Property"), to  
7 Greg Ellsworth or his assigns ("Buyer") for \$48,000; (iii) pay a sales commission to Westmark  
8 Properties ("Seller's Broker") equal to 6% of the gross sale price ("Commission"), which  
9 Commission may be divided by the Seller's Broker as may be agreed upon with the Buyer's  
10 broker; (iv) pay such costs related to the sale as provided in the Agreement; and (v) negotiate  
11 minor changes to the Agreement; and

12           4.     This Order is effective upon entry, and the stay otherwise imposed by Rule 62(a) of  
13 the Federal Rules of Civil Procedure and/or Bankruptcy Rule 6004(h) shall not apply.

14                               **\*\*END OF ORDER\*\***  
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**\*\*COURT SERVICE LIST\*\***

**MAIL SERVICE NOT REQUIRED**